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ABSTRACT

This document explains the main features of Federal Revenue Sharing. The publication begins by describing the historical background of revenue sharing in the United States from action taken during the Johnson administration and by the 91st Congress, the Nixon proposal for general and special revenue sharing, to the State and Local Fiscal Assistance Act of 1972. The document then summarizes the main features of the State and Local Fiscal Assistance Act giving the payment schedule through 1976, explains how the money is to be paid out, and defines the federal controls on the money spent. The publication concludes with advice about what program administrators should do to assure themselves of funding under revenue sharing. Appendixes contain the estimated first-year distribution of Federal Revenue Sharing Funds Under P.L. 92-512 for each individual State and lists of HEW regional offices and "key" agency regional personnel. (Parts of pages 5, 7, 19, 24, 25, and 26 may reproduce poorly.) (Author/DN)

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REVENUE SHARING
BRIEFING PACKET

DHEW

Office of Youth Development

Division of Youth Activities

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DYA OBJECTIVE

Whenever a far reaching piece of legislation like revenue sharing becomes law, confusion, dismay and misunderstandings often prevail. It will be the sincere attempt of the DYA/OYD to keep you well informed concerning General Revenue Sharing. The DYA/OYD will also be available to you to answer any questions you may have.

ENCLOSED MATERIAL

TAB

1. "State and Local Fiscal Assistance Act - P.L. 92-512"
2. Estimated First-Year Distribution of Federal Revenue Sharing Funds Under P.L. 92-512
3. List of HEW Regional Offices and "Key" Agency Regional Personnel

The proposal that the Federal Government share some portion of its tax revenues with State and local governments has been a widely debated issue for more than a decade.

State and local legislators have been the primary advocates for revenue sharing which in theory would help meet the evergrowing requirements of their demand for additional schools, hospitals, and health and welfare services.

Historical Precedent for Federal Revenue Sharing

The Surplus Distribution Act of 1836 may be identified as the first sign of Federal Revenue Sharing. In response to a large federal surplus which had accumulated as a result of substantial revenues received from the sale of public lands and from custom receipts derived from an expanding foreign trade, Congress had allocated "all monies in the U. S. Treasury on January 1, 1837, except for $5 million, to be deposited with States in proportion to their representation in the House and Senate." The States were given a free hand to allocate these revenue funds for any purpose.

Legislative Proposals During the 20th Century

Congressional attempts to secure Federal tax sharing legislation extended at least as far back as 1949. Early that year, Representative Errett Scrivner (R.-Kansas) introduced H.R. 1582 (80th Congress). This Bill authorized the Collector of the Internal Revenue to transfer to State Treasurers on a quarterly basis - 1% of federal individual and corporation income taxes collected within the States. These revenues were to be used for educational purposes without any federal direction. No action was taken by Congress on H.R. 1582.

Action During the Johnson Administration

With the passage of the Revenue Act of 1964, federal revenue sharing began to receive serious attention. Administration leaders were hopeful that the substantial reductions in income tax would give the American economy the additional stimulus which was needed to enable it to operate at close to maximum capacity. A surplus in the next few years seemed hopeful. The Democratic Party platform in 1964 recommended the "development of fiscal policies which would provide revenue sources to hard pressed State and local governments to assist them with their responsibilities." Lyndon Johnson advocated that "some part of our great and growing Federal tax revenues over and above existing aids"

be shared with the States and their local communities. Barry Goldwater stated that a portion of the federal income tax be returned to State and local governments and they also be given a larger share of revenue derived from inheritance taxes.

After the 1964 election, President Johnson appointed a task force composed of government and business leaders, headed by Dr. Joseph Peachman to study the merits of revenue sharing. Ironically, the study which concluded in favor of revenue sharing, was never made public because of the acceleration of the Viet Namn War in 1965. Because of the war, any hope of a federal surplus was soon destroyed. Yet, Congressional interest continued to grow during the 89th Congress. Some 51 federal tax-sharing Bills were introduced with 4 out of 5 Republican-sponsored. And in the 90th Congress twice that many proposals were introduced with 9 out of 10 being Republican-sponsored.

Action Taken by the 91st Congress

Revenue sharing became a primary goal of President Nixon's legislative program. He blamed the "growth of federal power and the decline in home rule and self-government" on the "proliferation of specialized federal grants in aid." He emphasized that "there is a better approach than such a

proliferation." He contended that "revenue sharing would restore real partnership to American Government." It would help to place decision-making in the right hands.

General Revenue Sharing - Nixon Proposal

The President's General Revenue Sharing proposal to the 92nd Congress basically called for a $16.4 billion program, of which approximately $5 billion would be new appropriations to be allocated to State and local governing units with few "strings" attached.

A basic distribution of 90% of the total amount would be shared with States, plus an allocation of the remaining 10% would be granted as incentive payments to States which design and adopt an individual plan for distributing a portion among their local governing units. The basic payment and the incentive payment would be distributed on a basis of the State's share of the national population and a ratio of total general revenues derived by the State and its political subdivisions from their own sources to the total personal income reported for the States. Until or unless an individual plan was approved, States would be required to allot a portion of all revenue-sharing funds to their local governing units based upon the ratio which the sum of the general revenues to all local governments within the State bears to the sum of the general revenues of the State and all local governments in the State.

The incentive plan would allocate the remaining 10% to those States which develop an individual alternative plan for distribution of a portion of their allotment among their local governing bodies. The States would have to adopt this alternative plan through a formal resolution with approval from more than 1/2 of the major municipalities and townships with a population of 2,500 or more.

The incentive plan was designed to make the States responsive to local governing units. The Nixon proposal only stipulated that some portion of this revenue be shared with local governing units and proper accounting procedures be followed; local governing units were required to file allotments with the Secretary of the Treasury and any use of the funds could not violate the Civil Rights laws.

On February 9, 1971, the President transmitted his General Revenue Sharing proposal to Congress with a pledge that General Revenue Sharing would not require new federal taxes nor would it require a transfer of funds from other federal programs.

Special Revenue Sharing

Following the President's General Revenue Sharing proposal, the remaining $11.4 billion of the $16.4 billion was proposed for making special revenue sharing payments to State and local governments for six broad functional purposes: law enforcement, manpower training, urban community development, rural community development, transportation, and education. Of the total amount, $10.4 billion would be derived from a consolidation of approximately 130 narrow-purpose federal categorical grants in-aid programs into six special revenue sharing programs. The remaining $1 billion would be appropriated by Congress as new appropriations.

The States and their local governing units would be free to utilize these grants within the six broad subject areas. They could continue existing categorical aid programs, enlarge such programs, or discontinue them.

The President submitted his Special Revenue Sharing proposal in six separate messages to Congress. While Congress did take some action on special revenue sharing, none were finally approved before Congress adjourned on October 18, 1972.

At present (March 11, 1973) Congress has not taken any action on the Special Revenue Sharing proposal, but is expected to decide upon the Urban Community Development Bill within this month. However, Congress did enact a compromise version of the President's General Revenue Sharing Bill which was passed as the State and Local Fiscal Assistance Act of 1972. On October 20, 1972 at Independence Hall, President Nixon signed the State and Local Fiscal Assistance Act (P.L. 92-512).

SUMMARY OF PL 92-512 - GENERAL REVENUE SHARING

Title I

Title I authorizes $30,277,180,000 to be used for general revenue sharing with the 50 States and the District of Columbia and with more than 38,000 general purpose localities over a five year pericd from January 1, 1972 to December 31, 1976 (retroactive).

Allotment Schedule

1972----------	$ 5,340,780,000
1973----------	6,017,280,000
1974----------	6,129,780,000
1975----------	6,273,780,000
1976----------	6,504,780,000
*Total----------	$30,277,180,000

*Included in the total is an additional $4,780,000 (annually) for Alaska and Hawaii because of the added cost of living.

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FEDERAL DISTRIBUTION

Title I stipulates that the U. S. Department of Treasury will establish a trust fund entitled "The State and Local Government Fiscal Assistance Trust Fund." The funds are derived from federal individual income tax which are appropriated from the General Fund of the Treasury to the "State and Local Government Fiscal Assistance Trust Fund". These revenues are then allocated to State and local governments.

HOW IS IT PAID OUT?

Because the House and Senate could not come to a mutual agreement on a formula for distribution, two separate formulas, a House and a Senate version were made available to the states.

HOUSE VERSION

The House version favors large urban states and suburban areas. Of the $5.3 billion, $3.5 billion is allocated on the basis of 3 factors: 1/3 on the basis of population, 1/3 on the basis of urbanization and 1/3 on the basis of population inversely weighted for per capita income. The remaining amount ($1.8 billion) is to be distributed among the states on the basis of the following factors: 1/2 of this amount ($900 million) on the basis of state personal income tax collections and the remaining 1/2

on the basis of the general tax effort of the State. Seventeen states and the District of Columbia chose the House version.

SENATE VERSION

The Senate version favors rural states and poor urban localities. The Senate version for distribution specifies that 1/3 of the revenues would go to the states and at least 2/3 must be distributed to local governing units within the state. Distribution is based upon state population, state and local tax effort and the relative income factor of the state.

Local Distribution Elements

County areas----------population, general tax effort and the relative income factor of the county area.

County governments----a portion of each county area's share is distributed to county governments on the basis of the country government's adjusted taxes (except educational financing).

Municipalities--------population, general tax effort and the relative income factors of that local government.

Townships----------the aggregate amount to be distributed to townships within county areas is determined on the basis of adjusted taxes of such townships within the county area.

Further allocation to individual townships is then made on the basis of the same three factors: population, general tax efforts and the relative income factor of the particular township. The Act also allows allotments for Indian tribes and Alaskan Native Villages on a basis of population.

Federal Controls - "strings"

Title I stipulates that these funds must be used for the the following "high priority areas" (a) maintenance and operational expenses for public safety, environment, public transportation, health, recreation, libraries,

social services for the poor or aged and financial administration, and (b) ordinary and necessary capital expenditures authorized by law. Further, these revenue funds can not be used as matching funds for federal programs, nor may they violate Civil Rights law. Finally, states and their local communities may not use these revenues to match federal funds. As you can well see - there are relatively few federal "strings" attached to General Revenue Sharing. The states and their local governing units are given wide latitude in determining their fiscal spending priorities.

Title II

Title II of the State and Local Fiscal Assistance Act authorizes federal administration and collection of state personal income taxes if the states elect to enter into such agreement. Title II is probably of little concern to most citizens.

Title III--Limitation on Grants for Social Services Under Public Assistance Programs

Title III of the General Revenue Sharing Act has no direct relevance to revenue sharing except that it was added to the legislation. Nevertheless, Title III does have far reaching implications for those of you who are or were receiving federal funds for social services under public assistance programs.

Title III places an annual ceiling of $2.5 billion on Federal matching funds to the states for social services under Titles I, IV (Parts A & B), X, and XIV of the Social Security Act. With the exception of child care, family planning, foster care, mental retardation activities, alcoholism and drug abuse prevention programs, at least 90% of such funds must be utilized for services to welfare recipients or potential welfare recipients. This leaves no more than 10% which can be spent for social services for persons not on welfare. Each state's allotment is based on its population in relation to national population.

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Conclusion

It is vital that you do not misunderstand the difference between General Revenue Sharing and Special Revenue Sharing.

General Revenue Sharing has already been enacted into law as the State and Local Fiscal Assistance Act of 1972 (P.L. 92-512). In general, this Act provides roughly $30.2 billion to the states, the local communities and the District of Columbia over a five year period. These funds are distributed to states and their local communities under a set formula as previously described. Once the revenues are distributed, it is primarily up to local governments to determine for what purpose the funds will be used. Finally, General Revenue Sharing does not include money from any categorical grants in aid, but is derived from new appropriations.

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WHAT SHOULD YOU DO?

The first and most obvious step would be for you to thoroughly familiarize yourself with revenue sharing and its process of distribution. Once you have done that you should consult your colleagues who may be conducting programs similar to yours. In other words, pull together a coalition of social program administrators within your community for the sole purpose of influencing state legislators, county board members and city councilmen to set fiscal spending priorities in such an order that your organizations will not be "short changed" when these priorities are set. Remember, the concept of revenue sharing leaves the responsibility of allocating those revenues up to your local legislators. It is because of this that it is most vital that you rally community support to influence your legislators to set spending priorities in congruence with your organizations.

As you may well suspect, the Federal regional offices will be given a considerable amount of added responsibilities as a result of the general process of decentralization. Many programs will be administered out of the regional offices. I emphasize the importance of your establishing strong points of contact with the Federal regional offices. For your convenience, I have enclosed a list of key HEW regional offices.

If you have any questions please do not hesitate to contact

Office of Youth Development
Division of Youth Activities
Department of Health, Education, and Welfare
Room 1651 - Donohoe Building
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202/245-2870

Attachments

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UNDER THE STATE AND LOCAL FISCAL ASSISTANCE ACT OF 1972, BY STATE
(in millions)

State	State Share	Local Share	Total
Alabama	$38.7	$77.4	$116.1
Alaska	2.1	4.2	6.3
Arizona	16.7	33.5	50.2
Arkansas	18.3	36.7	55.0
California	185.4	370.7	556.1
Colorado	18.2	36.4	54.6
Connecticut	22.1	44.1	66.2
Delaware	5.3	10.5	15.8
District of Columbia	7.9	15.7	23.6
Florida	48.7	97.3	146.0
Georgia	36.6	73.3	109.9
Hawaii	7.9	15.9	23.8
Idaho	6.7	13.2	19.9
Illinois	91.5	183.2	274.7
Indiana	34.8	69.5	104.3
Iowa	25.6	51.4	77.0
Kansas	17.6	35.2	52.8
Kentucky	29.1	58.2	87.3
Louisiana	37.9	75.7	113.6
Maine	10.3	20.8	31.1
Maryland	35.7	71.3	107.0
Massachusetts	54.3	108.7	163.0
Michigan	74.0	147.9	221.9
Minnesota	34.6	69.3	103.9
Mississippi	30.2	60.5	90.7
Missouri	33.0	65.8	98.8
Montana	6.9	13.7	20.6
Nebraska	14.3	28.6	42.9
Nevada	3.7	7.4	11.1
New Hampshire	5.1	10.1	15.2
New Jersey	54.5	109.1	163.6
New Mexico	11.0	22.2	33.2
New York	197.1	394.3	591.4
North Carolina	45.2	90.3	135.5
North Dakota	6.5	13.2	19.7

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Ohio	$ 69.0	$138.0	$207.0
Oklahoma	19.8	39.6	59.4
Oregon	18.7	37.5	56.2
Pennsylvania	91.3	182.7	274.0
Rhode Island	7.9	15.7	23.6
South Carolina	27.2	54.3	81.5
South Dakota	8.4	16.7	25.1
Tennessee	32.8	65.6	98.4
Texas	81.5	163.0	244.5
Utah	10.5	20.9	31.4
Vermont	4.9	9.9	14.8
Virginia	35.0	70.2	105.2
Washington	28.1	56.0	84.1
West Virginia	17.4	34.9	52.3
Wisconsin	44.6	89.3	133.9
Wyoming	3.2	6.5	9.7
TOTAL	$1,767.8	$3,536.1	$5,303.9

Source: U.S. Congress. Joint Committee on Internal Revenue Taxation. State and Local Fiscal Assistance Act of 1972. Supplemental report showing distribution of funds as agreed to by the conferees. Committee Print. 92d Congress, 2d session, Sept. 27, 1972. (Table 1.)

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